

BACKGROUND:

A. GENERAL CHARACTERISTICS

The State of California is approximately 800 miles long and 200 miles wide. Its total area is 155,959 square miles with 40,152,100 acres in forestland. California ranks first in the United States in population with 35,484,453 people, living in 58 counties, 478 cities and 57 unincorporated areas. It has a population density of 161.0 per square miles and is about 87.5% urban. Net migration into the state between 2000 and 2003 was 1,612,805. California's principal industries are agriculture, aerospace, manufacturing, construction, and recreation.

B. STREET AND HIGHWAYS

California has 163,574 miles of roadways consisting of 15,206 miles of State highway and freeways. Freeways traverse the state primarily in a north and south direction due to the north-south coastal and inland mountain ranges.

C. OPERATING DEPARTMENTS

Alcoholic Beverage Control ABC. The mission of the Department of Alcoholic Beverage Control (ABC) is to administer the provisions of the Alcoholic Beverage Control Act in a manner that fosters and protects the health, safety, welfare, and economic well being of the people of the State. ABC's authorized staffing as of July 1, 2005 was 444 positions include 123 clerical and technical support, 35 administrative support, 3 assistant directors, 2 deputy division chiefs, 19 district administrators, 38 supervising investigators, 165 investigators, 49 licensing representatives and 10 attorneys. The 444 total personnel include 29 sworn and three non-sworn assigned to the Special Operations Unit, 10 sworn and one non-sworn assigned to the Grant Assistance to Local Law Enforcement Program, 5 sworn and one non-sworn assigned to the LEAD (Licensee Education on Alcohol and Drugs) Program and five sworn and one non-sworn assigned to the Minor Decoy Program.

D. EXISTING SYSTEMS

The success of any program aimed at the youth of California must include the help and support of (1) the prevention community; (2) the schools; (3) law enforcement; and (4) the family. California has in place a number of very active and successful programs and initiatives across the State.

The prevention community includes each county's Alcohol Program Administrator and countywide efforts. Ongoing activities include school assemblies, classroom work, non-alcohol events and parent meetings. *FRIDAY NIGHT LIVE* is a high school program that has activities on nearly every school in the state. The Department of Alcohol and Drug Programs (ADP) provides the leadership and cooperation statewide on drug and alcohol

prevention efforts. Other programs involve training for administrators, school personnel and teachers; working with parent groups; and establishing peer groups.

Through *TEENWORK*, a statewide youth conference, peer-led drug and alcohol prevention programs for high school students are implemented.

The Department of Alcohol and Drug Programs provides a pool of technical experts to assist schools, local governments and community organizations in developing and implementing alcohol and drug programs. These include CARS (Center for Applied Research Solutions), which provides technical assistance on prevention strategies and techniques and PbD (Prevention by Design), which provides assistance in program planning and evaluation. *MADD CALIFORNIA* has OTS funding and has several programs reaching hundreds of thousands of Californians annually.

OTS also funds the *EVERY FIFTEEN MINUTES PROGRAM* for dramatic presentations to high school students about the consequences of alcohol consumption and driving.

In February 2002 the administration entered into Memoranda of Understanding with both the California State University and the University of California systems to create a partnership to address underage drinking and student alcohol abuse. The partnership between ABC (lead agency) and four other state agencies includes strategies to initially target eight CSU campuses, expanding to other campuses in subsequent years and all University of California campuses, and includes mini grants to local law enforcement agencies. The mini grants are used for enforcement and strengthening of campus alcohol policies. Funding consists of \$2.5 million consisting of \$1.5 million for the CSU system during FY 02/03-03/04 and \$1.0 million for the UC system for FY 03/04-04/05.

In 2002 the Governor's Interagency Coordinating Council for the Prevention of Alcohol and Other Drug Problems (Governor's Prevention Advisory Council, or "GPAC" for short) was formed to coordinate the state's strategic efforts to achieve measurable reductions in inappropriate use of alcohol and other drugs by youth and adults. ABC and the Office of Traffic Safety, among other state agencies, are members of the Council.

In 2004 the State Incentive Grant (SIG) project provided California with \$12 million in federal funding over three years to implement a comprehensive prevention program system to target youth and young adults age 12-25 with science-based prevention and early intervention programs. It is expected that the fiscal support will jump-start reformation of the State's prevention service system. The GPAC will serve as the SIG advisory committee and take action on other related issues.

ABC'S ongoing enforcement efforts are aimed to reduce underage drinking and impaired driving among all ages and cultural groups.

Finally, ABC has numerous ongoing enforcement programs that focus on underage drinking and sales to minors. These programs are:

Licensee Education on Alcohol and Drugs (LEAD) — A voluntary program aimed at retail licensees and employees, providing quality and effective responsible beverage service training.

Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) — This is a prevention and education program. The primary goal is to teach licensees how to reduce alcohol-related crime. Teams of ABC investigators and local law enforcement officers inspect retail licensed outlets in a community and ensure the merchants understand their responsibilities under the law.

Retail Operating Standards Task Force (ROSTF) — This is an enforcement program that identifies businesses in violation of the law on retail operating standards (i.e., litter, graffiti, signage, loitering and consumption of alcoholic beverages). ABC investigators and local law enforcement officers issue admonishments, as needed, and follow-up inspections are used to ensure compliance.

Operation TRAPDOOR — This enforcement and prevention program targets the use of false identification by minors. Undercover officers pose as doormen in retail establishments and arrest minors who are in possession of false identification.

Decoy Shoulder Tap — This enforcement program uses underage decoys to identify people who furnish alcohol to minors outside of licensed outlets. ABC is presently receiving an OJJDP/OTS grant to expand this program to many local communities.

Grant Assistance Program (GAP) — This is a Department-funded program that assists local law enforcement in developing effective, comprehensive, and strategic approaches to eliminating alcohol-related crime. Since 1995, over \$17 million dollars has been awarded to 234 agencies (some agencies have received several grants over the course of the GAP program).

Minor Decoy Program – This enforcement program uses underage decoys (16-19 years old) to identify licensed premises who sell alcoholic beverages to minors. ABC is presently receiving an OJJDP/OTS grant to include mini grants to 29 local law enforcement agencies and for the first time ABC investigators are conducting their own Minor Decoy Operations.

TRACE – is a protocol wherein first responders to alcohol-involved emergencies immediately notify the Department when it is apparent that an ABC licensed premises may have been involved in the selling or furnishing alcohol to the underage person(s) involved.

The California Department of Alcoholic Beverage Control in its attempts to solve problems has had three prior OJDP/OTS “Shoulder Tap Grants.

OJ-0003				
Quarterly Dates	Operations	Contacts	Arrests	%
August - September 2000	14	489	55	11.25
October-December 2000	78	1,657	216	13.04
January-March 2001	67	1,792	270	15.07
April- May 2001	46	1,169	138	11.80
June-September 2001	0	0	0	
October-December 2001	10	235	27	11.48
January-March 2002	40	808	120	14.85
Total	255	6,150	826	13.43

OJ-0005				
Quarterly Dates	Operations	Contacts	Arrests	%
October-December 2001	0	0	0	0.00
January-March 2002	32	772	114	14.77
April- May 2002	28	482	89	18.47
June-September 2002	43	866	127	14.66
October-December 2002	66	1,167	187	16.02
January-March 2003	77	1,321	243	18.39
April- May 2003	62	1,380	228	16.52
Total	308	5,988	988	16.50

OJ-0301				
Quarterly Dates	Operations	Contacts	Arrests	%
October-December 2003	1	10	9	90.0
January-March 2004	39	714	175	24.50
April- May 2004	45	914	157	17.18
June-September 2004	34	523	100	19.12
October-December 2004	56	1,123	185	16.47
January-March 2005	73	1,479	228	15.41
April- May 2005	36	663	101	15.23
Total	284	5,426	976	17.98

CHARACTERISTICS of VIOLATORS

Gender: Males five more likely to be contacted (5,046 males / 972 females) and eight times more likely (812 males / 103 female) to arrested. Arrest rates for females are notably lower in a few districts with high levels of Department Shoulder Tap Programs (DSTP) activities (Bakersfield, GAP, San Jose, Yuba City) and notably higher in Sacramento and Santa Barbara districts.

Age: Violators are most likely people in their twenties and thirties. The largest single age-group of violators are 21-29 years (370) but violators 30-49 comprise about half of all violators. Shoulder tap buyers are found at all ages, but particularly among adults and middle-ages people.

Offender Status: About one third (303 out of 915) of those arrested were found to be involved with other offenses. About 100 (11 percent) had probation/parole violations, and 71 (about 5 percent) has outstanding warrants. Another 10 percent were under the influence or asking for money.

Comments by Violators: A summary of 148 comments that the suspect made after their arrests. One third agreed to make a purchase for the decoy because they were willing to do someone a favor to help out. About 7 percent identified with the decoy, saying they had done the same when they were younger. A few even offered to use their own money to purchase the alcoholic beverages for the decoy. About 6 percent of the suspects wanted something in return, usually keeping the change or getting a drink for themselves. One sixth stated they knew it was wrong but agreed to make the purchase. About seven percent said they just were not thinking or paying attention. Finally about seven percent were resistive after being cited, refusing to accept responsibility for their actions by saying it was entrapment, “set-up”

PROBLEM STATEMENT:

Motor vehicle crashes are a major social, health and economic problem. Teens are the most dangerous drivers. Teen drivers are responsible for a highly disproportionate number of collisions, injuries, and deaths. The National Highway Traffic Safety Administration reports that minors (people under the age of 21) who have been drinking are involved in fatal crashes at twice the rate of adult drivers.

According to the National Traffic Safety Administration (NHTSA), self reported alcohol use by high school seniors has declined from 1982 to 1993, but increased every year

after. Self reported monthly alcohol use increased from high school seniors from 48.6 in 1993 to 50.0 percent in 2001.

Binge drinking remains a serious threat to highway safety by high school seniors and college students. In 1995, 19.5 percent of seniors acknowledged having five or more drinks in a row during the previous two weeks. Since 1993, the percentage reporting binge drinking has increased by 8 percent. The Harvard School of Public Health reported in 2001 that from 1993 to present, the portions of college students who binge drink (44 percent) has remained remarkably stable. However, the most extreme forms of binge drinking (frequent binge drinkers) have increased about 20 percent in 1993 to 23 percent in 1999.

Per the California Highway Patrols 2003 SWITERS data report, (the latest year statistics are available), drivers under the age of 21 years, who had been drinking, were involved in 2,270 fatal and/or injury vehicle collisions.

The Pacific Institute for Research and Evaluation (PIRE) reported in 2001 that youth alcohol use cost the nation over 42 billion annually as a result of traffic crashes, violent crime, burns, drowning, suicide attempts, alcohol poisoning and alcohol abuse treatment cost.

When the California Supreme Court ruled in 1994 that the minor decoys could be used by law enforcement to check whether stores were selling alcohol to minors, the violation rate was nearly 50 percent. In some cities, almost one of every two stores failed to check the minor's age and sold them alcohol. In 1997 the violation rate had dropped to less than 10 percent in those cities that used the decoy program on a regular basis.

Minors then turn to the "shoulder tap" method of getting alcohol by standing outside of a licensed establishment and asking adults to buy them alcohol. A survey conducted by the Los Angeles Police Department indicated that as much as 46 percent of all minors who attempt to acquire alcohol use this method.

ABC has attempted to address the teen drinking problem with a "full court press" approach using enforcement, prevention and education.

First, through the enforcement of existing laws that prohibits sales to and possession/consumption by minors. Excluding local assistance about 33.5 percent of Department's resources are devoted to its law enforcement mandates, 74.6 percent of all arrests made each year by ABC investigators involve minors and alcohol, and 65 percent of all administrative accusations filed against ABC licensees each year involve minors and alcohol. These stats were for fiscal year 2004/2005.

Second, in 1991 the Department secured an Office of Traffic Safety grant to begin the LEAD program, an education and prevention program for its licensee and license applicants. The program includes education on preventing sales to minors, including information on detecting fraudulent identifications and identifying minors.

Third, in 1993 the Department formed a Special Operation Unit (SOU) to more quickly and effectively respond to the increasing number of disruptive and disorderly outlets that have become the focal point for crime and cause of neighborhood decoy. Disorderly premises invariably engage in underage alcohol violations.

Fourth, since 1995 the Department through its Grant Assistance Program (GAP) provides grants to city and county law enforcement to enhance state wide alcohol law enforcement training, enforcement and prevention efforts.

Finally, the Department administered three Decoy Shoulder Tap Programs through three separate grants from OJJDP/OTS. The first grant was given to local agencies and the other two allotted overtime hours for Department investigators to conduct Shoulder Tap Operations. During the program, a minor decoy, under the direct supervision of ABC or law enforcement officers, solicits adults outside ABC licensed store to buy the minor decoy alcohol. Any person seen furnishing alcohol to the minor decoy is arrested (either cited or booked) for furnishing alcohol to a minor (a violation of Section 25658(a) Business and Professions Code).

Project Goals:

1. To reduce under age consumption of alcoholic beverages and over consumption (binge drinking) by deterring individuals from furnishing to minors outside of liquor outlets by May 31, 2008
2. To expand the involvement of all law enforcement agencies in enforcing underage drinking laws by May 31, 2008
3. To increase public awareness through PSA, news media and printed material relating to individuals who furnish alcoholic beverages to minors.

Project Objectives:

1. To provide updated training for ABC District Offices, Branch Offices and Special Units regarding Decoy Shoulder Tap Programs on a state wide basis May 31, 2007.
2. Offer training to local law enforcement agencies and interested community groups by May 31, 2008.
3. To conduct approximately 200 Shoulder Tap operations by May 31, 2008.
4. To train approximately 100 minors in the proper procedure of the Decoy Shoulder Tap operation by May 31, 2007

5. To distribute printed material regarding the consequences of purchasing alcoholic beverages for underage individuals and public services announcement to local law enforcement agencies, school ABC investigators and media by May 31, 2008.
6. To issue a press release announcing the kick-off of the project by September 1, 2006.

Method of Procedure:

Phase I – Program Preparation (June – September 2006)

ABC will hire an investigator to maintain the monthly static information from the operations. ABC will review prior public awareness campaign with regards to the Shoulder Tap Program. If approved by the executive staff, the material will be disseminated statewide.

Phase II – Training (July 1 2006 through May 31, 2008).

Conduct training for all new departmental investigators and provide a quick review of more seasoned investigators. Training of local investigator will be done upon request.

Phase III – Announcement of Mini Grants and Awarding of said grants June – August 2006

Prepare and hand out the Request for Proposal, scour and award mini grants

Phase IV – Enforcement Operations (September 2006 through May 31, 2008)

Begin running the Shoulder Tap Operations statewide.

Phase V – Data Gathering and Analysis (Throughout Program).

The District Offices, Special Units and mini grant recipients will submit the required paper work after each Shoulder Tap Operation. The information will be collected, analyzed and incorporated in quarterly reports and Executive Summary..

Phase VI – Executive Summary July 2008

The Executive Summary in accordance with OJJDP requirements. The report will be submitted to OJJDP within 60 days after the grant ends.

Method of Evaluation:

Using the data compiled, the project manager will evaluate: (1) how well the stated project goals and objective were accomplished; (2) if all the activities outlined in the Method of procedures were performed in accordance with grant agreement; and (3) was the project cost effective.

Statement of Intent:

The Department considered the continued optional cost of this project. IT is the Department intent to continue the project after the grant ends.